

TO: Rocky Hill Town Council
FROM: Rocky Hill Charter Revision Commission
RE: Final Report of the 2015 Charter Revision Commission
DATE: August 10, 2015

FINAL REPORT

AS AMENDED ON AUGUST 4, 2015

2015 ROCKY HILL CHARTER REVISION COMMISSION

On behalf of the Rocky Hill Charter Revision Commission, we submit herewith a Final Report of the proposed charter revisions as voted on and approved by the Commission.

On November 17, 2014, the Rocky Hill Town Council, acting under the authority and powers granted to municipalities in §7-187 through §7-193 of the Connecticut General Statutes, appointed the following electors to the Charter Revision Commission:

Phil Benoit
Kevin Clements
Neil Geldof
Rocco Sanzo
Frank Simboski
Jim Tallberg
Jeffrey Thomen

The Commission began its work with an organizational meeting on January 13, 2015, electing Jim Tallberg as Chair and Phil Benoit as Vice Chair and an organizational meeting on January 28, 2015 to set a public hearing. Two public hearings are required by state statute, the first of which was held on February 10, 2015. Additional special meetings were held on February 10, 2015, February 25, 2015, March 10, 2015, March 25, 2015, April 7, 2015, April 20, 2015, May 6, 2015, May 21, 2015, and June 2, 2015. The second public hearing was held on June 11, 2015. Following the second public hearing, a special meeting was held on June 18, 2015, and August 4, 2015 at which time the Commission voted to approve amendments to the Drafted Report released on July 1, 2015, as reflected herein.

The Commission received comments from the following Town Officials, employees and interested persons: Mayor Henry Vasei, Councilor Meg Casasanta, Councilor Frank Szepe, Councilor Cathy Vargas, Councilor Tim Moriarty, Councilor Joe Kochanek, Town Manager Guy Scaife, Board of Education Chairman Frank Morse and Vice Chairman Brian Dillon, Board of Education Member John Bedlack, Don Watson, Larry deBear, former Deputy Mayor Phil Sylvestro, Central Connecticut Health District Board of Director Members Judy Sartucci and Marti Stiglich, Finance Director John Mehr, Library Director Mary Hogan, Public Buildings

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Commission Chairman Brian Addy, Town Auditor Nikoleta McTigue, of BlumShapiro, Mike Serrano of Friar Associates, Ken Beiga of O & G Industries, Newington Charter Revision Commission Chairman Alan Nafis, Director of Human Resources and Legal Compliance Dana McGee, Parks and Recreation Director Lisa Zerio, Assistant to the Town Manager Jessica Dumas, and Town Attorney Morris Borea.

After a thorough review of the Charter, and full consideration of the comments and input provided by all concerned, the Commission agreed, by consensus, to propose the following revisions to the Charter.

- 1) All references to "he", "his" or "him" will be made gender neutral. This change will apply throughout the Charter.
- 2) The table of contents has been updated to reflect all changes discussed in this final report.
- 3) §201 - dates will be updated from 1991 to 2015. This change will apply throughout the Charter
- 4) §202 - "three selectmen," will be eliminated
- 5) §203 B – replace "Board of Tax Review" with "Board of Assessment Appeals"
- 6) §207 - delete "two (2) Selectman"
- 7) §210 – replace "four" voting districts with "three" voting districts
- 8) §402 – delete "The Council shall choose a clerk"
- 9) §403 – replace "chairman pro tem" with "Deputy Mayor"
- 10) §406 – replace "by publishing the notice and the proposed ordinance in full" with "by publishing the notice and a brief description of the ordinance identifying the proposed ordinance's title, Chapter and Article to be amended and referring individuals to the Town Clerk's Office and the Town's website for the full ordinance"
- 11) §408 – replace "\$150,000" ("one hundred fifty") with "\$300,000" ("three hundred")
- 12) §412 A – delete "or Town Clerk"
- 13) §413 – replace "chairman pro tem" with "Deputy Mayor" and replace "books and papers" with "documents"
- 14) §416 – replace "\$50,000" ("fifty") with "\$100,000" ("one hundred") and replace "\$4,000" ("four thousand") with "\$10,000" ("ten thousand")

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15) §502 – add the words “The Town Manager shall serve as the Director of Public Safety unless directed otherwise by the Town Council.”

16) §504 – delete this entire section and replace with the following language: “In the event that the Town Manager’s temporary absence prevents or limits his or her normal business engagement, the Town Manager shall designate an Acting Town Manager, subject to the right of the Town Council to override that selection by resolution appointing an Acting Town Manager of the Council’s choice, other than a Council member. In the event the Town Manager is suspended or terminated, the Council shall appoint an Acting Town Manager by resolution, other than a Council member, and a permanent Town Manager shall be appointed within 180 days of said resolution. The Acting Town Manager shall have all the powers and duties of the Town Manager.”

17) §601 – replace this entire section with the following language: “The Town Clerk shall be appointed by the Town Manager for an indefinite term and may be removed only by the Town Manager. In addition to the powers and duties prescribed for Town Clerks by the Connecticut General Statutes, the Town Clerk may act as the clerk of the council, keep a journal of its proceedings, which will be a public record, and perform such other duties as may be assigned by this Charter or by the Town Manager. The Town Clerk shall have such deputy clerks as the Town Manager shall determine. The Town Clerk shall receive such compensation as the Town Manager may determine. All fees collected by the Town Clerk, except those collected on behalf of the State, shall be paid into the Town Treasury.”

18) §603 – add the words “Nothing herein shall prevent the Town of Rocky Hill pursuant to Connecticut General Statutes from joining an existing public health district or from cooperating with other towns in the formation of a new health district.”

19) §604 – replace “Director of Public Welfare” with “Director of Human Services” and replace existing language with “There shall be a Director of Human Services, appointed by the Town Manager. The Director shall have all of the powers and duties relating to poor, infirm and dependent persons vested by law or as otherwise provided in the Connecticut General Statutes and shall have such other powers and duties as the Council may prescribe.”

20) §605 – delete this section regarding Constables in its entirety

21) §609 – replace “two hundred fifty thousand dollars (\$250,000)” with “one million dollars (\$1,000,000)”

22) §701 – replace this section with the following language: “There shall be a Department of Finance headed by a Director of Finance. The department shall oversee all town financial operations to include; purchasing oversight, accounting, accounts payable and payroll. The Director of Finance shall be appointed and may be removed by the Town Manager, in accordance with and subject to the provisions of Chapter IX of this Charter. It shall be the duty of the Director of Finance to maintain and operate a modern municipal accounting system showing the current condition of all funds and appropriations, and to file a report with the Town Manager and Council

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by the third Monday of each month of the financial transactions of the preceding month which show: the amount of each appropriation; the charges against and credits year to date; and the unencumbered balance. A report should also be prepared and filed with the Town Manager and Council within ninety (90) days of the conclusion of each fiscal year covering all financial transactions. The Director of Finance prescribes the form of accounts to be kept by each department, office, board, commission and agency of the Town except the Board of Education, and the times and manner in which monies collected on the Town's account by any such department, officer, board and commission or agency shall be paid into the Town Treasury. The Director of Finance performs such other duties as may be prescribed by the Council by ordinance or by the orders of the Town Manager consistent therewith.

The Director of Finance is the Chief Financial Officer of the Town and therefore has extreme fiduciary obligation to safeguard Town assets as is a common expectation for such role.

23) §702 – replace title “Town Treasurer” with “Town Treasurer, Tax Collector, Assessor and Purchasing Agent.” Delete the words “The deputy of the Treasurer authorized to sign checks shall be appointed by the Town Manager. The Treasurer shall have such other assistants, to be appointed by him, as the Council may determine by ordinance.” Add the following language at the end of this section: “Except as otherwise provided by this Charter, the Tax Collector and the Assessor shall respectively have all the powers and duties conferred upon Tax Collectors and Assessors by the Connecticut General Statutes and other duties as may be assigned to them by the Town Manager. The Purchasing Agent shall purchase all supplies, materials and equipment required by all commissions, boards, departments and offices of the Town, except the Board of Education, with respect to the purchase of supplies and materials that are clearly education oriented, and the Library Board, with respect to the purchase of books and other materials peculiar to libraries. The Board of Education and the Library Board may avail themselves of the Purchasing Agent's services in purchasing any commodity or service. The Purchasing Agent shall have such other duties as may be prescribed by the Town Manager.”

24) Renumber the sections in Chapter VII as follows:

§703 A becomes §703
§703 B becomes §704
§703 C becomes §705
§703 D becomes §706
§704 becomes §707
§705 becomes §708
§706 becomes §709
§707 becomes §710

25) §703 A – replace “Department of Public Safety” with “Police Department” and eliminate the entire first paragraph of this section. Replace “Paragraph A. Division of Police” with the following:

“There shall be a Police Department consisting of the Chief of Police, appointed by the Town Manager, and such other officers and employees of such ranks and grades as the Council may

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determine. The Police Department shall be responsible for the preservation of the public peace, prevention of crime, apprehension of criminals, regulation of traffic, protection of rights of persons and property, and enforcement of the Connecticut General Statutes and the ordinances of the Town, and all rules and regulations made in accordance therewith. All members of the Police Department shall have the same powers and duties with respect to the service of criminal process and enforcement of criminal laws as are vested in Police Officers by the Connecticut General Statutes. The powers and duties of the Animal Control Officer, as provided in the Connecticut General Statutes shall be vested in the Police Department in accordance with a job description. The Chief of Police shall be the chief administrative officer of the Police Department. The Chief shall assign all members of the department to their respective posts, shifts, details and duties, be responsible for the care and custody of all property used by the department and disposal thereof, and for the efficiency, discipline and good conduct of its members and shall make rules for the operation of the department and the conduct of police work. The violation of these rules by any member of the department shall be punishable by appropriate disciplinary action, which may include loss of pay, suspension from duty and removal, provided that no member of the department shall be removed or suspended by the Chief without receiving the approval of the Town Manager. Violation of any provisions of this section shall constitute cause for dismissal or suspension."

26) §703 B – replace "Division of Fire" with "Fire Department" and replace "Director of Public Safety" with "Town Manager."

27) §703 C – replace "Division of Civil Preparedness" with "Director of Emergency Management" and replace existing language with the following:

"There shall be a Director of Emergency Management, appointed by the Town Manager. The Director of Emergency Management duties shall be in accordance with the Connecticut General Statutes and the State of Connecticut's Emergency Operations Center directives. In the event the Emergency Operations Center (EOC) becomes active, the following departments will work together under the general direction of the Director of Emergency Services: Police, Fire, Ambulance, Department of Community Development and Public Works Departments."

28) §703 D – replace "Division of Building Inspection" with "Department of Community Development" and replace existing language with the following:

"There shall be a Director of Community Development appointed by the Town Manager who shall be responsible for the following functions: Building, Code Enforcement, Engineering, Planning, Wetlands, and Zoning. The department duties shall include: preparation of plans and specifications for the construction or reconstruction of streets, sidewalks, curbs, gutters, storm sewers, drains and other structures and to oversee the construction of the same, and to perform such other duties as may be prescribed by the Town Manager. The Town Engineer shall be a State of Connecticut licensed professional Engineer."

29) §704 – replace "Department of Highways and Engineering" with "Department of Public Works and replace existing language with the following:

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"There shall be Director of Public Works, appointed by the Town Manager who shall be responsible for the oversight of the Highway Department, Transfer Station and Solid Waste collection and disposal. The Highway Department duties shall include: summer and winter maintenance of all public streets and ways; maintain and operate storm sewers and other drains, to construct or reconstruct streets, sidewalks, curbs, gutters, maintenance of storm sewers and drains and other structures; to care for grassed areas in streets; and to perform such other duties as may be prescribed by the Town Manager."

30) §705 – delete the words "The Parks Department personnel shall be assigned to the highway division during snow and ice removal."

31) §706 – replace "Council" in the second sentence with "Town Manager". The sentence should read: "The Director shall receive such compensation as the Town Manager may determine."

32) §803 – replace "one hundred thirty-five (135) days" with "one hundred five (105) days"

33) §809 – delete the words "but only within the last three months of the fiscal year" and replace with the following language: "but only within the last seven (7) months of the fiscal year"

34) §816 – replace "four thousand dollars (\$4,000)" with "twenty-five thousand dollars (\$25,000)"

35) §817 – replace "ten thousand dollars (\$10,000)" with "seventy-five thousand dollars (\$75,000)"

36) §819 – delete "constables and"

37) §901 – replace this entire section with the following language: "Officers and employees in the classified service of the Town, as described in Section 902 below, shall be appointed, promoted and removed solely on the basis of merit and fitness, as demonstrated by examination or other evidence of competence. The Council shall by ordinance establish and maintain a classified service system, including a grievance procedure, for all Town employees, except the following: Elective officers and persons appointed to fill vacancies in elective offices; members of boards and commissions and other officers appointed by the Council; professional employees of the Board of Education; persons employed in a professional capacity to make or conduct a temporary or special inquiry, study or investigation; persons employed for a temporary period not exceeding three (3) months; and boards and commissions appointed by the Town Manager."

38) §902 – replace this entire section with the following language: "The classified service shall include appointees to all positions now or hereafter created, except those noted in Section 901. It shall be the duty of the Director of Human Resources to cause to be prepared a statement of the duties and responsibilities of each position in the classified service and of the minimum qualifications for appointments to such positions. These statements shall comprise the classification plan of the Town, which shall become effective upon approval by resolution of the

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Council and which may be amended, upon recommendation of the Director of Human Resources, by resolution of the Council. New or additional positions in the classified service may be created and changes in the duties and responsibilities of existing positions may be made by resolution of the Council upon recommendation of the Director of Human Resources. A pay plan for all positions in the classified service shall be similarly prepared, adopted and amended. The Director of Human Resources shall also cause to have prepared a set of Personnel Rules which shall provide, among other things, for the method of holding competitive examinations, administration of the classification plan, probationary periods of employment, hours of work, vacations, sick leaves and other leaves of absence, removals, and such other rules as may be necessary to provide an adequate and systematic procedure for the handling of the personnel affairs of the Town. Such rules and any amendments thereto become effective upon being filed by the Director of Human Resources with the Town Clerk. Copies of such rules and any amendments thereto shall be distributed to all members of the classified service."

39) §903 – replace this entire section with the following language: "The Town Manager shall serve as the Director of Human Resources, or shall select and appoint a person with training, experience, qualifications and fitness in personnel administration. The Director of Human Resources shall be responsible to the Town Manager and shall have the authority and be required to establish and administer standards of personnel administration in conformity with recognized principles, laws and regulations of public personnel administration, and shall make recommendations to the Town Manager and Town Council."

40) §904 – replace this entire section with the following language: "The Town shall not, except in the case of a bona fide occupational qualification or need, refuse to hire or employ or to bar or to discharge from employment any individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment because of the individual's race, color, religious creed, age, sex, sexual orientation, marital status, national origin, ancestry, present or past history of mental disability, mental retardation, learning disability or physical disability, including, but not limited to, blindness."

41) §905 – replace this entire section with the following language: "The Council may provide by ordinance a system of retirement allowances for the Town's regular, full time, paid employees and for contributions by employees and the Town to a fund from which such allowances shall be paid. The Town may enter into contract with any company or institution authorized to do business in this State for the purpose of insuring the whole or any part of its retirement plan; elect to participate in the Connecticut Municipal Employees' Retirement Funds; or elect any combination thereof. The Council may authorize the transfer of the management and investment of the Town's pension funds to any fiduciary institution chartered or licensed to operate in the State of Connecticut under the provisions of the General Statutes, Revision of 1958, as amended."

42) §906 – replace this entire section with the following language: "All persons holding positions or offices on the effective date of this Charter, which are not abolished by the provisions of this Charter, shall retain such positions or offices pending action by the Council or the appropriate appointing authority charged by this Charter with the power of appointment and removal, and shall not be removed except as provided for in this Charter. All persons holding positions in what shall

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be the classified service of the Town on the effective date of this Charter shall retain such position without preliminary or working tests and shall thereafter be subject in all respects to the provisions of this Charter."

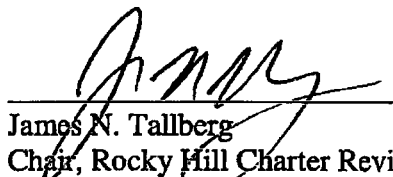
43) §907 – replace this entire section with the following language: "Any elected or appointed Town official, or any Town employee, who has a financial interest in any matter to be acted upon or coming before this board, commission or office, shall make full record disclosure in writing of that interest, which shall be incorporated in the minutes of the particular board, commission or office, and a full copy of such minutes shall be filed in the office of the Town Clerk, and the Town official or employee shall be disqualified to act in any way upon such matter. Violation of this section with knowledge, express or implied, of any person or corporation participating in such matter or decision shall be an additional ground of appeal, which will nullify the action of such board, commission or office upon appeal to the appropriate court under the statutes applicable to appeals from such boards, commissions or offices."

44) §1101 – Add the sentence "The Town Council shall cause the Charter to be reviewed at least once every fifteen (15) years."

45) §1103 – update all statutory references, including in this Definitions section, as recommended by the Town Attorney. Change reference from "C.G.S. Sec. 7-7" to "C.G.S. Sec. 7-6."

We, the Rocky Hill Charter Revision Commission, respectfully submit these proposed Charter revisions to the Rocky Hill Town Council on this 10th day of August, 2015.

Respectfully submitted,



James N. Tallberg
Chair, Rocky Hill Charter Revision Commission